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Mamiko Sugimoto

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VIENNA, VA 22182-3817

EXAMINER

HOLTON, STEVEN E

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/989,437	<b>Applicant(s)</b> SUGIMOTO ET AL.	
	<b>Examiner</b> STEVEN E. HOLTON	<b>Art Unit</b> 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This Office Action is made in response to applicant's amendment filed on 12/13/07. Claims 1-36 are currently pending in the application. An action follows below:

#### ***Response to Arguments***

2. Applicant's arguments, see pages 14-25, filed 12/13/2007, with respect to the rejection(s) of claim(s) 1-36 under 35 USC 103(a) have been fully considered and are persuasive. However, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

The Examiner does agree with the arguments regarding the lack of teaching in the prior art regarding determining an identifier within stroke information of a handwriting input system. Prior art reference Montlick (USPN: 5561446) utilizes a image storage method rather than a stroke information method of storing and identifying handwritten input.

The newly found prior art, Weber et al. (USPN: 5572651), discloses a handwriting input system using stroke identification. Individual strokes are stored as input data to comprise the entire handwritten information. Further, identifiers can be input using the stroke information by a user to indicate important information within the stroke data for storage and later retrieval based on the identifier. While the information stored by Weber et al. is not required to be medical data, the handwritten information

input by the user could be related to any type of information written by a user. Thus, the handwriting input method could be associated with medical or other types of records.

Regarding the arguments regarding the Snell reference as describing prior knowledge of character recognition software for converting handwritten information, the Examiner agrees the Snell elects to not use a character recognition method for a handwriting input system; however, Snell clearly teaches that character recognition of handwritten text is known prior art. To address the question regarding the use of arrays for storing numerical data, the Examiner presents the character and gesture recognition method described by Gourdol (USPN: 5583946) who discloses the use of an array of points defining a single stroke (smoothed stroke point array Q; col. 8, line 46; discussed further in light of the method of Fig. 5) and uses the stroke recognition system for both character and gesture recognition.

Regarding the question about knowledge displaying an item indicating that data cannot be changed within a file that is currently being accessed (claims 12-15) the Examiner provides Mori(USPN: 6098084) who teaches such a visual indicator (Fig. 4b, element 417) as well as discusses other prior methods (col. 1, line 54 - col. 2, line 3).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 3, 7, 9, 10, 16, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber et al. (USPN: 5572651), hereinafter Weber in view of Montlick (USPN: 5561446).

Regarding claim 1, Weber discloses an input device including an input device and display device (Fig. 1, elements 22, 26, and 30), and a storage element (Fig. 1, element 32). The input device of Weber operates including "the input/display device receiving input stroke information by handwriting (col. 10, lines 25-30); determining whether an identifier (Fig. 4, elements 84,88, and 92; called a 'key identifier') has been received in said input stroke information (Fig. 3, element 50; col. 12, line 54 - col. 13, line 2)". Weber also discusses storing data in the memory based on an intra-identifier code (called a key object identifier) and the intra-identifier code is directly associated with the identifier (col. 13, lines 3-10; Figs. 3-5 are part of the description of this topic).

Weber does not expressly disclose storing medical data, however; the handwritten data stored by Weber as stroke information could be associated with medical information or any other type of information. Weber also does not disclose, "the input means moving in a sliding manner on a sheet label displayed at a particular

position on a screen by the display means; and the input/display device reading, when the input means moves onto said sheet label, data stored in said storage in relation to said sheet label from said storage, and displaying the data by conducting a change-over operation for said sheet label".

Montlick discloses a pen based input data entry system for storing substantially all medical data (col. 4, line 66 - col. 5, line 2). Montlick further discloses sheet labels (Fig. 2, element 32; each tab can be considered a sheet label associated with a specific page/sheet of information) where as the input means moves onto different sheet labels the information associated with said sheet label is displayed on the screen (col. 5, line 54 – col. 6, line 3). The Examiner notes that Montlick recites that touching the pen to any of the menu fields will select the menu field. Sliding the pen along the screen so that it touches one or another menu field would also select the menu field and display the information associated with the menu field. Montlick changing the display so that proper information is displayed constitutes a change-over operation.

At the time of invention it would have been obvious to one skilled in the art to combine the teachings of Weber and Montlick. The handwriting input system of Weber could be combined with a medical specific input system for data input and forms as described by Montlick to provide predetermined forms and images specific to medical applications rather than note-taking or other handwriting activities. This would provide benefits of flexible categorical retrieval tool in a handwriting based input system (Weber, col. 4, lines 15-20) with a system for relating handwriting to other information without interpretation of the handwriting in a medical field (Montlick, col. 2, lines 37-40 and col.

3, line 60 - col. 4, line 21). Thus, it would be obvious to combine the teachings of Weber and Montlick to combine the handwriting information tools of each in a medical context as described by Montlick to produce a device as described in claim 1.

Regarding claim 9, the Examiner notes that the claim states, "wherein the method comprises one of" and then provides a list of operations that are part of the method. The first operation described is the same as the operation described in claim 1. Therefore, the arguments applied to claim 1 can be applied to claim 9.

Regarding claims 2 and 10, Montlick teaches, a medical treatment system where when the segments (Fig. 3, segments labeled 'Vital Signs', 'Eyes', 'Ears' and 'Other') of an input field are displayed (Fig. 3, element, element 50), the segments have labels assigned in a previously specified sequence. The Examiner notes that many of the input fields are pre-made forms from the central controller, thus the segment labels are assigned based on predetermined sequences.

Regarding claim 3, Montlick discloses, "wherein in the storage the data are substantially all stored after... an operation to explicitly close a medical report (col. 8, lines 1-9)."

Regarding claim 7, Montlick teaches, a medical treatment system where when the segments (Fig. 3, segments labeled 'Vital Signs', 'Eyes', 'Ears' and 'Other') of an input field are displayed (Fig. 3, element, element 50), the segments have labels assigned in a previously specified sequence. The Examiner notes that many of the input fields are pre-made forms from the central controller, thus the segment labels are assigned based on predetermined sequences.

Regarding claims 16 and 24, both Weber and Montlick utilize a pen-tablet type of input device (Weber, col. 11, lines 19-35; Montlick Fig. 1, element 12).

4. Claims 4-6, 8, and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claims 1 and 9 above, and further in view of Gourdol (USPN: 5583946).

Regarding claims 4-6, 8, and 11, as discussed above, the combination of Weber and Montlick disclose all of the limitations except "wherein said input-display device conducts character recognition processing for hand-written data inputted from said input means and comprising an array of values of coordinates, converts by said character recognition processing the data into text data including an array of character codes, and displays the text.

Gourdol discloses a handwriting based entry system that converts handwritten input into text to be displayed. Gourdol discloses handwriting data is stored as individual strokes, the strokes are further stored as an array of points defining each stroke ('smoothed stroke point array Q'; col. 8, line 46; methods of manipulating the stroke coordinates stored within the array are discussed regarding Fig. 5). Gourdol identifies the handwriting data as input as stroke information and then converts the handwriting data into character data for output as text on the display device (Fig. 2a; col. 5, lines 53-67).

At the time of invention it would have been obvious to combine the teachings of Weber, Montlick and Gourdol to produce a handwriting input system for medical record



storage and manipulation. The handwriting input system of Weber using strokes to store electronic ink inputs could be modified using the character recognition method described by Gourdol to provide reliable recognition of user inputted gestures (Gourdol, col. 3, lines 32-38). This modified handwriting input system could be combined with the tablet based medical records system of Montlick to provide a handwritten input system for medical record keeping with character recognition and text output as described in claims 4-6, 8, and 11.

5. Claims 12, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claims 1 and 9 above, and further in view of Mori (USPN: 608084).

Regarding claims 12, 13, and 15, as discussed above, the combination of Weber and Montlick disclose all of the limitations except, "wherein in the operation to read data from said storage and to display the data, when an unchangeable state is beforehand set to the data, said input-display device displays an item indicating that the data cannot be changed."

Mori teaches a method of accessing previously stored information files and when a file has been set to an unchangeable state, providing a visual item indicating the data cannot be displayed (Fig. 4b, element 417). Mori also discloses other methods of indicating read-only documents in the prior art section (col. 1, line 54 - col. 2, line 3).

At the time of invention it would have been obvious to one skilled in the art to combine the teachings of Weber, Montlick and Mori. The computer system having

saved medical records and other handwritten notes produced from the combination of Weber and Montlick could be further modified using the read-only indication methods described by Mori. The motivation would be to provide a visual indicator of the state of a data set or record when being viewed by a user (Mori, col. 2, lines 48-56). Thus, it would have been obvious to combine the teachings of Weber, Montlick and Mori to produce a device as described in claims 12, 13, and 15.

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber, Montlick, and Gourdol as applied to claim 11 above, and further in view of Mori.

As discussed above, the combination of Weber, Montlick, and Gourdol disclose all of the limitations except, “wherein in the operation to read data from said storage and to display the data, when an unchangeable state is beforehand set to the data, said input-display device displays an item indicating that the data cannot be changed.”

Mori teaches a method of accessing previously stored information files and when a file has been set to an unchangeable state, providing a visual item indicating the data cannot be displayed (Fig. 4b, element 417). Mori also discloses other methods of indicating read-only documents in the prior art section (col. 1, line 54 - col. 2, line 3).

At the time of invention it would have been obvious to one skilled in the art to combine the teachings of Weber, Montlick, Gourdol, and Mori. The computer system having saved medical records and other handwritten notes produced from the combination of Weber, Montlick, and Gourdol could be further modified using the read-only indication methods described by Mori. The motivation would be to provide a visual

indicator of the state of a data set or record when being viewed by a user (Mori, col. 2, lines 48-56). Thus, it would have been obvious to combine the teachings of Weber, Montlick, Gourdol, and Mori to produce a device as described in claims 12, 13, and 15.

7. Claims 18, 22, 23, 27, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claims 1 and 9 above, and in further view of Igarashi et al. (Applicant's Cited Prior Art: "An Architecture for Pen-based Interaction on Electronic Whiteboards"), hereinafter Igarashi.

Regarding claim 18, as discussed above the combination of Weber and Montlick discloses all of the limitations except, "the input means moving in a horizontal direction in a sliding manner to cross an input field displayed at a position on a screen by the display means; and the input/display device displaying the input field, the input field being subdivided into segments."

Igarashi discloses a method of splitting segments on a pen based input system by providing a vertical line across an input field (Fig. 2; section 3.1; Inking and Segmenting).

The Examiner notes that Igarashi only shows splitting a segment using a vertical line between two elements within the segment; however, it would be obvious to one skilled in the art that splitting segments using a vertical line could be adapted to operate with a horizontal line and provide the same splitting functionality.

At the time of invention it would have been obvious to one skilled in the art to modify the pen and tablet based input system disclosed by Weber and Montlick with the

segment splitting functionality of the system described by Igarashi. The stroke based input system of Weber could utilize the other types of stroke based input gestures described by Igarashi to extend the functionality of the pen based input system. The motivation for doing so would be to provide users with flexibility for organizing and working with written input placed on the input system (Igarashi, paragraph spanning the end of the first page to the beginning of the second page). Thus, it would have been obvious to modify the teachings of Weber and Montlick with the teachings of Igarashi to produce a method as described in claim 18.

Regarding claims 22 and 23, Igarashi discloses “dragging an input field selected from a plurality of input fields displayed at positions on a screen by the display means and moving the input field in the screen; and the input/display device one of minimizing or magnifying one of the input field and other input fields on the screen according to movement of the input field dragged by the input means (Igarashi, Fig. 3; section 3.1 final paragraph). This type of moving and squashing would be used to ensure visibility and to keep segments from overlapping when being moved around the screen by the user (Igarashi; section 3.1; final paragraph). This allows hand-written notes and input to be kept visible and selectable for the user.

Regarding claim 30, the Examiner notes that like claim 9, claim 30 recites the method “further comprising one of” and then lists various actions. The seventh and eighth operations are the same as the ones defined in claim 22 and 23 and therefore the arguments can be applied to claim 30 as well.

Regarding claim 27 (which is dependent on claim 30), Montlick teaches, "wherein said input/display device is a pen-tablet device (Fig. 1, element 12)."

8. Claim 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claim 1 above, and in further view of Fenster et al. (USPN: 5454371), herein after Fenster.

Regarding claim 20, as discussed above Weber and Montlick discloses all of the limitations except, "the input means moving from a first point to a second point on an image displayed at a position on a screen by the display means; and the input/display device measuring a distance of movement between the first and the second points and displaying the distance over the image."

Fenster discloses a medical imaging system where images can be manipulated and measured using points defined by the user input device (col. 23, lines 25-39). The Examiner notes that the Fenster does not specify where the measured distance is displayed on the screen, but the Examiner states that it would be a design choice for one skilled in the art to display the measured value above the image or inside the image or at any desired location on the screen. Further, Fenster discloses the system using a mouse but states that the system could be realized using various input devices including digitizer and light pen (col. 23, lines 62-67).

At the time of invention it would have been obvious to one skilled in the art to modify the teachings of Weber and Montlick with the teachings of Fenster. The motivation for doing so would have been to the user with techniques for manipulating

images displayed on display screen (Fenster, col. 1, lines 47-52). Thus, it would have been obvious to provide methods of manipulating images by allowing a user to measure distances on within the image and displaying such distances as disclosed by Fenster with the medical input system disclosed by Weber and Montlick to produce the device in claim 20.

Regarding claim 21, Fenster discloses method of drawing a trace beginning at a point displayed at a position on the screen and then rotating the image based on the length and direction of the trace (Figs. 21a –21c; col. 17, lines 10-56).

9. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claim 1 above, and in further view of Tanaka (USPN: 5249296).

Regarding 25, as discussed above Weber and Montlick discloses all of the limitations except, “the input means dragging a sheet label displayed at positions on a screen by the display means and moving the sheet label upward; and the input/display device reading data stored in the storage in relation to the sheet label from the storage and displaying the data below the sheet label by classifying the data.”

Tanaka discloses a gesture based input system for a pen based input system. The input system allows that a new window is opened after the execution of a dragging operation of an icon on the screen (abstract; col. 3, lines 9-12; col. 5, lines 9-28). The Examiner states that the dragging operation of Tanaka involves selecting an associated icon for a record/file/program and then dragging the icon to a location on the screen,

wherein the computer system then opens a window and displays the associated information to the icon. The dragging operation may be done in any direction including up; and the generic icon of Tanaka also covers a sheet label or other type of designation of a file or program operating on the computer system.

At the time of invention it would have been obvious to one skilled in the art that would be possible to modify a handwriting input system such as disclosed by Weber and Montlick with the ability to select an icon and drag the icon in a direction to display the file information at the location specified by the drag operation as disclosed by Tanaka. The motivation for doing so would have been “to provide an information processing apparatus for controlling window positions, the apparatus allowing the user to employ any one of the two icon-selecting methods, “check” and “drag” (Tanaka, col. 2, lines 34-38)” also Tanaka finds prior art systems for displaying a window to be “complicated, constrained and confusing (col. 2, line 30).” Thus, it would have been obvious to one skilled in the art to combine Weber, Montlick and Tanaka to produce a device as specified in claim 25.

10. Claims 17, 19, 26, 28, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick and in view of the Applicant’s Admitted Prior Art (disclosure page 22, line 28 – page 23, line 2), hereinafter AAPA.

Regarding claim 28, Weber discloses an input device including an input device and display device (Fig. 1, elements 22, 26, and 30), and a storage element (Fig. 1, element 32). The input device of Weber operates including “the input/display device

receiving input stroke information by handwriting (col. 10, lines 25-30); determining whether an identifier (Fig. 4, elements 84,88, and 92; called a 'key identifier') has been received in said input stroke information (Fig. 3, element 50; col. 12, line 54 - col. 13, line 2)". Weber also discusses storing data in the memory based on an intra-identifier code (called a key object identifier) and the intra-identifier code is directly associated with the identifier (col. 13, lines 3-10; Figs. 3-5 are part of the description of this topic).

Weber does not expressly disclose storing medical data, however; the handwritten data stored by Weber as stroke information could be associated with medical information or any other type of information. Weber also does not disclose, "the input means drags a particular input field selected from a plurality of input fields displayed at particular positions on a screen by said dsisplay means and drops the particular input field onto a sheet label, and said storage stores data of said particular input field with a relationship established to said sheet label."

Montlick discloses a pen based input data entry system for storing substantially all medical data (col. 4, line 66 - col. 5, line 2).

At the time of invention it would have been obvious to one skilled in the art to combine the teachings of Weber and Montlick. The handwriting input system of Weber could be combined with a medical specific input system for data input and forms as described by Montlick to provide predetermined forms and images specific to medical applications rather than note-taking or other handwriting activities. This would provide benefits of flexible categorical retrieval tool in a handwriting based input system (Weber, col. 4, lines 15-20) with a system for relating handwriting to other information without



interpretation of the handwriting in a medical field (Montlick, col. 2, lines 37-40 and col. 3, line 60 - col. 4, line 21). Thus, it would be obvious to combine the teachings of Weber and Montlick to combine the handwriting information tools of each in a medical context as described by Montlick to produce a device as described in claim 28.

Neither Weber nor Montlick discloses, “the input means drags a particular input field selected from a plurality of input fields displayed at particular positions on a screen by said display means and drops the particular input field onto a sheet label, and said storage stores data of said particular input field with a relationship established to said sheet label.”

The AAPA discussed on pages 22 and 23 of the specification describe the method of dragging a segment and dropping into a sheet label and storing the information. Further, this technique is described as being analogous to the “drag and drop for Windows” and “the present invention may be an another OS having a same function about ‘drag and drop’”. The drag and drop technique described as part of claim 28 is therefore a previously known technology provided by other computer operating systems.

At the time of invention it would have been obvious to one skilled in the art that the pen input system of Weber and Montlick could be modified using the ‘drag and drop’ technique of prior knowledge to produce the device as specified in claim 28. Weber discusses that pen movement within the describe system is similar to a mouse including click and drag equivalents (col. 19, lines 5-15). It would be obvious to one skilled in the art to allow previously known graphical interface methods such as drag and drop to

provide further functionality and interface for the user. Thus, it would be obvious to one skilled in the art that a drag and drop technique as used in other common computer systems could be used with an input system as utilized by Montlick and Frasca Jr. and the combination would produce a device as specified in claim 28.

Regarding claims 17 and 19, the Examiner notes that these claims provide limitations of a drag and drop function similar to the limitations of claim 28. Therefore, the combination of Weber, Montlick and the prior knowledge of one skilled in the art could also be applied to read on the limitations of the method described in claims 17 and 19.

Regarding claim 26, Montlick teaches, "wherein said input/display device is a pen-tablet device (Fig. 1, element 12)."

Regarding claim 29, Montlick teaches, "wherein in the storage the data are substantially all stored after... an operation to explicitly close a medical report (col. 8, lines 1-9)."

11. Claims 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick as applied to claims 1 and 9 above, and further in view of Frasca Jr. (USPN: 6055506).

Regarding claims 31 and 33, as discussed above the combination of Weber and Montlick disclose all of the limitations except, "wherein said identifier comprises an input device identifier that identifies an identity of an input operator."

Frasca Jr. discloses providing identifier codes that identify the input operator of a data record (Fig. 9, element 236; col. 9, lines 44-53).

At the time of invention it would have been obvious to one skilled in the art that to combine the teachings of Weber, Montlick and Frasca Jr. The input system of Weber could be modified so that the identity of the input operator could be provided based on the input device used as disclosed by Frasca Jr. The rationale for doing so would be to provide further information and identification for storage of records within a central storage system. The information would allow review of who entered records, made diagnoses, or searchable records based on who made an entry within the system to determine treatment history by different users. Thus, it would have been obvious to combine the teachings of Weber, Montlick and Frasca Jr. to provide a input method for medical treatment as disclosed in claims 31 and 33.

Regarding claims 32 and 34, discloses providing identifier codes that identify the location that data was input from (Fig. 9, element 208; col. 9, lines 9-22). The Examiner notes that the Site could be modified to include the device the actual physical device used to enter the data element rather than a physical outpatient location used to enter the data from.

12. Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Montlick in view of AAPA as applied to claim 28 above, and further in view of Frasca Jr.

Regarding claim 35, as discussed above the combination of Weber, Montlick, and AAPA disclose all of the limitations except, “wherein said identifier comprises an input device identifier that identifies an identity of an input operator.”

Frasca Jr. discloses providing identifier codes that identify the input operator of a data record (Fig. 9, element 236; col. 9, lines 44-53).

At the time of invention it would have been obvious to one skilled in the art that to combine the teachings of Weber, Montlick, AAPA and Frasca Jr. The input system of Weber could be modified so that the identity of the input operator could be provided based on the input device used as disclosed by Frasca Jr. The rationale for doing so would be to provide further information and identification for storage of records within a central storage system. The information would allow review of who entered records, made diagnoses, or searchable records based on who made an entry within the system to determine treatment history by different users. Thus, it would have been obvious to combine the teachings of Weber, Montlick, AAPA and Frasca Jr. to provide a input method for medical treatment as disclosed in claims 35.

Regarding claims 36, discloses providing identifier codes that identify the location that data was input from (Fig. 9, element 208; col. 9, lines 9-22). The Examiner notes that the Site could be modified to include the device the actual physical device used to enter the data element rather than a physical outpatient location used to enter the data from.

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven E. Holton whose telephone number is (571)272-7903. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

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March 14, 2008

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